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AL:EAG
F. #2014R01689

2015 MAY -6 PM 2:40

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT
EASTERN DISTRICT
OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

INDICTMENT

- against -

CR. 15 - 223

JOHN CERBONE,

(T. 21, U.S.C., §§ 841(a)(1),
841(b)(1)(B)(ii)(II), 841(b)(1)(C),
841(b)(1)(D), 853(a) and 853(p); T. 18,
U.S.C., §§ 982, 1956(a)(3)(B), 2 and 3551 et
seq.)

Defendant.

- - - - -X

AMON, CH.J.

THE GRAND JURY CHARGES:

COUNT ONE

REYES, M.J.

(Distribution of Controlled Substances)

1. In or about and between April 2012 and April 2015, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JOHN CERBONE, together with others, did knowingly and intentionally distribute one or more controlled substances, which offense involved (a) 500 grams or more of a substance containing cocaine, a Schedule II controlled substance, (b) a substance containing marijuana, a Schedule I controlled substance, (c) a substance containing oxycodone, a Schedule II controlled substance, and (d) a substance containing amphetamine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B)(ii)(II),
841(b)(1)(C) and 841(b)(1)(D); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT TWO
(Money Laundering)

2. On or about and between February 20, 2015 and April 27, 2015, both dates being approximate and inclusive, within the Eastern District of New York, the defendant JOHN CERBONE, together with others, did knowingly and intentionally conduct and attempt to conduct one or more financial transactions affecting interstate commerce and transactions involving a financial institution the activities of which have an effect on interstate commerce, to wit: transactions involving (a) a check dated March 4, 2015 drawn on an account in the name of "CAM ENERGY HEATING & AIR CONDITIONING INC" in the amount of \$22,500, (b) a check dated March 16, 2015 drawn on an account in the name of "CAM ENERGY HEATING & AIR CONDITIONING INC" in the amount of \$30,111.20, (c) a check dated March 19, 2015 drawn on an account in the name of "RCI PLBG INC" in the amount of \$15,000, (d) a check dated March 27, 2015 drawn on an account in the name of "CAM ENERGY HEATING & AIR CONDITIONING INC" in the amount of \$16,200, (e) a check dated April 14, 2015 drawn on an account in the name of "RCI PLBG INC" in the amount of \$29,000, and (f) a check dated April 27, 2015 drawn on an account in the name of "RCI PLBG INC" in the amount of \$28,000, which transactions involved property represented by another person at the direction of, and with the approval of, a Federal official authorized to investigate violations of Title 18, United States Code, Section 1956, to be the proceeds of specified unlawful activity, to wit: proceeds from a narcotics trafficking business, in violation of Title 21, United States Code, Sections 841(a) and Title 18, United States Code, Section 2,

with the intent to conceal and disguise the nature, location, source, ownership and control of the property believed to be the proceeds of such specified unlawful activity.

(Title 18, United States Code, Sections 1956(a)(3)(B), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION AS TO COUNT ONE

3. The United States hereby gives notice to the defendant JOHN CERBONE that, upon his conviction of the crime charged in Count One, the government will seek forfeiture in accordance with Title 21, United States Code, Section 853(a), which requires any person convicted of such offense to forfeit any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such offense, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such offense.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Sections 853(a) and 853(p))

CRIMINAL FORFEITURE ALLEGATION AS TO COUNT TWO

5. The United States hereby gives notice to the defendant JOHN CERBONE that, upon his conviction of the crime charged in Count Two, the government will seek forfeiture, in accordance with Title 18, United States Code, Section 982(a), of all property, real or personal, involved in the offense of conviction in violation of Title 18, United States Code, Section 1956, and all property traceable to such property.

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;


it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 982)

A TRUE BILL


FOREPERSON

KELLY T. CURRIE
ACTING UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: 

ACTING UNITED STATES ATTORNEY
PURSUANT TO 28 C.F.R. 0.136

F. #2014R01689
FORM DBD-34
JUN. 85

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

JOHN CERBONE,

Defendant.

INDICTMENT

(T. 21, U.S.C., §§ 841(a)(1), 841(b)(1)(B)(ii)(II), 841(b)(1)(C), 841(b)(1)(D),
853(a) and 853(p); T. 18, U.S.C., §§ 982, 1956(a)(3)(B), 2 and 3551 et seq.)

A true bill.

Robert Heffernan

Foreperson

Filed in open court this 6th day,

of MAY A.D. 20 15

Clerk

Bail, \$ _____

Elizabeth Geddes, Assistant U.S. Attorney (718) 254-6430